

## Article - Education

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§23–802.

(a) An employee who may effectively recommend an action listed in § 23–701(l) of this subtitle may be deemed a supervisory employee if the employee's exercise of the authority requires the exercise of independent judgment and is not merely of a routine or clerical nature.

(b) The exercise of any single function listed in § 23–701(l) of this subtitle may not necessarily require the conclusion that the individual exercising that function is in fact a supervisory employee within the meaning of the definition.

(c) In differentiating a supervisory employee from a nonsupervisory employee:

(1) A class title alone may not be the basis for determination; and

(2) The nature of the supervisory employee's work, including whether or not a significant portion of the supervisory employee's working time is spent as part of a team that includes nonsupervisory employees shall be considered.

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